


NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Attorney Docket No.: DIVER 260-3	
 COPY OF PAPERS ORIGINALLY FILED	In re Application of: Jay M. Short		
	Application No: 09/421,629		Filed: October 19, 1999
	For: PROTEIN ACTIVITY SCREENING		
	Group Art Unit: 1652		Examiner: Nashed Nashaatt

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Applicants hereby appeal to the Board of Appeals from the decision dated February 15, 2002 of the Examiner rejecting claims 32-47.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. 1.17(b))	
		other than small entity	\$320.00
	<input checked="" type="checkbox"/>	small entity	\$160.00

2.	<input checked="" type="checkbox"/>	A petition and fee for an extension of time for reply to the rejection is attached.							
<input checked="" type="checkbox"/>	Extension Fee (37 C.F.R. 1.17(a))								
		Other than small entity							
		\$110.00		\$400.00		\$920.00		\$1,440.00	
	<input checked="" type="checkbox"/>	Small entity							
		\$55.00		\$200.00		\$460.00	<input checked="" type="checkbox"/>	\$720.00	

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Applicants:

Jay M. Short

Application No.: 09/421,629

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PATENT

Atty. Docket No.: DIVER1260-3



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3.	<input checked="" type="checkbox"/>	Enclosed is a check in the amount of \$880.00 (\$160.00; to file the Notice of Appeal and \$720.00 for the Three (3) Month Extension of Time fee). The Commissioner may charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355.
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July 31, 2002

Date

Lisa A. Haile, Ph.D.

Registration No. 38,347

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Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

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CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **July 31, 2002**, addressed to: Box AF, Commissioner for Patents, Washington, D.C. 20231.

Cara Grifone

(Name of person mailing paper)

Signature

July 31, 2002

Date



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ATTORNEY DOCKET NO.: DIVER 1260-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short

Art Unit: 1652

Serial No.: 09/421,629

Examiner: N. Nashed

Filed: October 19, 1999

Title: PROTEIN ACTIVITY SCREENING

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Washington, D.C. 20231

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. Notice of Appeal from the Final Office Action mailed February 15, 2002 (2 pages);
2. Declaration for Patent Application – executed (3 pages);
3. Petition for Three (3) Months Extension of Time (2 pages);
4. Check No. 515267 in the amount of \$880.00; and
5. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, July 31, 2002 , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Cara Grifone	
(Name of Person Mailing Paper)	
<i>Cara Grifone</i>	July 31, 2002
(Signature)	(Date)



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Applicant: Short
Serial No.: 09/421,629
Filed: October 19, 1999
Page 2

Enclosed is Check No. 515267 in the TOTAL amount of \$880.00; which consists of \$160.00 for the Notice of Appeal fee and \$720.00 for the Three (3) Months Extension of Time fee. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: July 31, 2002

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